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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

F.G., H.I., T.U., and V.W., individually and on
behalf of all others similarly situated

Plaintiffs,

v.

COOPERSURGICAL, INC.; THE COOPER
COMPANIES, INC.; and DOES 1-10, inclusive,

Defendants.

Case No. 4:24-cv-01261-JST

Assigned to: Judge Jon S. Tigar

JOINT CASE MANAGEMENT STATEMENT

Date: October 2, 2024

Time: 9:30 AM

Courtroom: 6, 2nd Floor

Pursuant to this Court’s order dated September 12, 2024, Civil L.R. 16-9, and the Standing Order for All Judges of the Northern District of California, Plaintiffs F.G., H.I., T.U., and V.W., and Defendants The Cooper Companies, Inc. (“Cooper Companies”) and CooperSurgical, Inc. (“CooperSurgical”) (collectively, the “Parties”), by and through their respective counsel of record, hereby submit the following Joint Case Management Statement.

The Court’s September 12 order instructed the Parties to address the sole topic of “what action the Court should take on the pending motions to dismiss and motion to strike, ECF Nos. 67, 68, 69, in light of the Court’s recent Order Granting Defendants’ Motions to Dismiss and Granting Plaintiffs Jurisdictional Discovery in *Walden v. CooperSurgical*, 4:24-cv-00903-JST (N.D. Cal. Sept. 9, 2024).” Order, ECF No. 84.

I. Joint Statement

The Parties have conferred and jointly request, that, to ensure the orderly progress of these cases and in the interests of judicial efficiency, the Court defer determining how best to address the pending motions to dismiss and strike until after the Judicial Panel on Multidistrict Litigation’s decision on the pending petition to transfer and centralize, which is set for hearing September 26. *See In re: The Cooper Companies, Inc., In Vitro Fertilization Global Culture Media Products Liability*, MDL No. 3122, ECF No. 43 (Aug. 16, 2024) (setting panel hearing for Sep. 26, 2024).

As laid out in the Parties’ July 24, 2024 joint stipulation regarding the briefing schedule for the pending motions, ECF No. 74, because there is a California plaintiff in the class action, the Parties believe the Court has sufficient jurisdictional authority to decide the pending motions. But in view of the pendency of the JPML petition, which the Parties expect will be determined shortly after the September 26 hearing, the Parties believe determining how to proceed on the pending motions should await a decision on centralization and transfer.

If acceptable to the Court, the Parties agree to submit a further status update addressing the issue of the pending motions to dismiss and strike within seven (7) days of a decision by the JPML on the outstanding petition to transfer and centralize the related cases. The Parties are likewise available to attend a subsequent case management conference following their submission.

1 DATED: September 25, 2024

BY: /s/ Dena C. Sharp
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DATED: September 25, 2024

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ATTESTATION OF FILER

Pursuant to Local Rule 5-4.3.4, the undersigned filer hereby attests that all signatories listed, and on whose behalf the filing is submitted, concur in the filing's content and have authorized the filing.

Dated: September 25, 2024

/s/ Dena C. Sharp

Dena C. Sharp

CERTIFICATE OF SERVICE

I hereby certify that on September 25, 2024, I electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system, which will automatically send notification of the filing to all counsel of record.

/s/ Dena C. Sharp
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